

**To:** Herrera, Angeles[Herrera.Angeles@epa.gov]  
**From:** Greg Lovato  
**Sent:** Thur 6/18/2015 6:41:58 PM  
**Subject:** RE: Anaconda Copper Mine, demand letter

Yes. I have a 2 pm meeting but I can talk at 1:30.

I am also available after 3:30 if you need more time for your 1 o'clock.

**From:** Herrera, Angeles [mailto:Herrera.Angeles@epa.gov]  
**Sent:** Thursday, June 18, 2015 11:41 AM  
**To:** Greg Lovato  
**Subject:** Re: Anaconda Copper Mine, demand letter

Can I call you at 1:30? I now have a 1-1:30 pm meeting.

Please excuse my typos

Sent from my iPhone

On Jun 18, 2015, at 8:33 AM, Greg Lovato <[glovato@ndep.nv.gov](mailto:glovato@ndep.nv.gov)> wrote:

Angeles,

I am available at 1 o'clock today?

Do you want to call me at my desk?

Greg Lovato,  
Deputy  
Administrator

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Environmental  
Protection  
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[glovato@ndep.nv.gov](mailto:glovato@ndep.nv.gov)  
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**From:** Herrera, Angeles [<mailto:Herrera.Angeles@epa.gov>]  
**Sent:** Wednesday, June 17, 2015 5:13 PM  
**To:** Greg Lovato; Helmlinger, Andrew  
**Cc:** Jasmine K. Mehta  
**Subject:** RE: Anaconda Copper Mine, demand letter

Thanks Greg. I plan to call you tomorrow afternoon to discuss path forward and other NDEP related issues. I'm available from 1-3 pm. What time works best for you?

**From:** Greg Lovato [<mailto:glovato@ndep.nv.gov>]  
**Sent:** Wednesday, June 17, 2015 4:56 PM  
**To:** Helmlinger, Andrew; Herrera, Angeles  
**Cc:** Jasmine K. Mehta  
**Subject:** RE: Anaconda Copper Mine, demand letter

Thanks Andrew, that is helpful information. To the extent these issues have an effect on sitewide plans or to the extent EPA and ARC seek our participation, NDEP is available and willing to participate in these discussions.

**From:** Helmlinger, Andrew [<mailto:Helmlinger.Andrew@epa.gov>]  
**Sent:** Wednesday, June 17, 2015 3:41 PM  
**To:** Greg Lovato; Herrera, Angeles  
**Cc:** Jasmine K. Mehta  
**Subject:** RE: Anaconda Copper Mine, demand letter

Greg,

We did receive a response from ARC, which we are meeting internally to review tomorrow. I am reluctant to share it at present because it is labelled settlement confidential, but suffice it say that ARC's position on EPA's past costs did not change from past discussion, and it continues to want broader discussions on shifting a portion of the load it bears on OUI in general and for the FMS. I am sure we'll be in touch soon after our internal discussion.

J. Andrew Helmlinger

Attorney-Advisor, Office of Regional Counsel

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**From:** Greg Lovato [<mailto:glovato@ndep.nv.gov>]

**Sent:** Wednesday, June 17, 2015 3:13 PM

**To:** Helmlinger, Andrew; Herrera, Angeles

**Cc:** Jasmine K. Mehta

**Subject:** RE: Anaconda Copper Mine, demand letter

Andrew and Angeles,

I don't know that we have heard any updates on this topic since the demand letter was sent in May.

I was writing to ask if any follow up discussions have occurred or are still to come and what the current status is.

If it would be easier I could schedule a call sometime early next week.

Greg

**From:** Helmlinger, Andrew [<mailto:Helmlinger.Andrew@epa.gov>]  
**Sent:** Thursday, May 14, 2015 11:14 AM  
**To:** Greg Lovato; Herrera, Angeles  
**Cc:** Jasmine K. Mehta; Katie Armstrong ([karmstrong@ag.nv.gov](mailto:karmstrong@ag.nv.gov))  
**Subject:** RE: Anaconda Copper Mine, demand letter

Greg and all,

ARC's attorneys are looking at some dates for follow up discussions. I will work with Jasmine and Katie to keep them involved, to the extent possible. I would not anticipate ARC to object. Most likely we will speak next Friday, May 22.

There is one correction in the demand that I am not sure you've received, but which we have sorted out with ARC's counsel. The draft AOC we sent over had an incorrect dollar figure in it. The attached is the correct draft that ARC is now reviewing.

Best,

J. Andrew Helmlinger

**From:** Greg Lovato [<mailto:glovato@ndep.nv.gov>]

**Sent:** Thursday, May 14, 2015 11:03 AM  
**To:** Herrera, Angeles  
**Cc:** Helmlinger, Andrew; Jasmine K. Mehta; Katie Armstrong ([karmstrong@ag.nv.gov](mailto:karmstrong@ag.nv.gov))  
**Subject:** RE: Anaconda Copper Mine, demand letter

Angeles,

Thanks for sending this to NDEP.

I wanted to request that EPA involve NDEP and Nevada AG office in future discussions with ARC on this issue. I have understood that from your perspective, this dispute over OUI costs will affect the site-wide strategy, resources and schedule we have been working on.

Greg

**From:** Herrera, Angeles [<mailto:Herrera.Angeles@epa.gov>]  
**Sent:** Wednesday, May 13, 2015 5:11 PM  
**To:** Greg Lovato  
**Subject:** FW: Anaconda Copper Mine, demand letter

As I mentioned on my vmail, today, we sent the attached demand letter to ARC.

**From:** Helmlinger, Andrew  
**Sent:** Wednesday, May 13, 2015 10:07 AM  
**To:** Nolan, James; Cohen, Adam; Oman, Jack  
**Cc:** Seter, David  
**Subject:** Anaconda Copper Mine, demand letter

Jim and Adam,

As we discussed last week, EPA is formalizing its demand for the OU0-7 costs at the Anaconda Copper Mine. Attached are electronic documents going out today by certified mail. I've copied Jack here, as the addressee on the letter in his role as a point of contact for the site. As always, please let me know if you have questions about the letter, and after you've had some opportunity to consider its substance, let's schedule our next discussion.

J. Andrew Helmlinger

Attorney-Advisor, Office of Regional Counsel

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